

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
  
Robert Walton  
  
Respondent

Civil Citation No. 76642  
  
8217 Cornwall Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on June 8, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310 (a), failure to cease the storage of any garbage, rubbish, trash or manure that may become a food source or rats on residential property known as 8217 Cornwall Road, 21222.

On May 17, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Dan O'Neill issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 28, 2010 for removal of trash and debris from behind the shed on this residential property. This Citation was issued on May 17, 2010.

B. Photographs in the file show piled junk, trash and debris behind the shed, including broken gutters, windows, and garden debris. Photographs show old lumber piled in the backyard. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310. County law prohibits the accumulation of bricks or other materials that is conducive to rat harborage, and requires such materials to be evenly piled or stacked on open racks that are elevated at least 18 inches above the ground. BCC Section 13-7-312.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$50.00 (fifty dollars) if the violations are corrected by July 7, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17<sup>th</sup> day of June 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer